

BOARD OF PAROLE HEARINGS
Executive Board Meeting
August 16 & 17, 2021

August 16, 2021

Meeting called to order at 01:05 p.m.

Roll Call: Commissioners Anderson, Barton, Cassady, Chappell, De La Torre, Dobbs, Grounds, Gutierrez, Long, Minor, Ruff, San Juan, Schneider, Sharrieff, Sullivan, Taira, and Zarrinnam present. Commissioner Thornton absent.

Commissioner ANDERSON stated that the majority of currently-appointed commissioners are present.

In compliance with Executive Order N-28-20, and to minimize the spread and mitigate the effects of COVID-19, the meeting was conducted by videoconference and telephone via TEAMS.

CONSENT CALENDAR

Approval of Motion for Hearings with Procedural Errors

A. AXELL, LYNDIA
W34640

AXELL's attorney, LAURA SHEPPARD, and a friend supported her release.

B. SMOTHERS, JERMAINE
K11293

No speakers.

Commissioner DOBBS moved to approve the consent calendar. Commissioner LONG seconded the motion, which carried unanimously.

REPORTS

Report from Executive Officer, Jennifer Shaffer

SHAFFER provided an update on the implementation of Assembly Bill 3242, which amended Penal Code section 3055 to expand elderly parole eligibility. SHAFFER reported that the Board worked with the California Department of Corrections and Rehabilitation to develop the functionality necessary to implement a new electronic screening process that was successfully deployed in the Board's Information Technology System last week. The next step is to promulgate regulations implementing the statutory change.

BOARD OF PAROLE HEARINGS
Executive Board Meeting
August 16 & 17, 2021

SHAFFER congratulated Commissioners DOBBS, GUTIERREZ, LONG, MINOR, SHARRIEFF and TAIRA on their reappointment to the Board on August 6, 2021. She congratulated Commissioner ZARRINNAM on his appointment to the Board. SHAFFER stated that Commissioner DE LA TORRE is leaving the Board. She thanked her for her service.

Report from Chief Counsel, Jessica Blonien

BLONIEN summarized the decision of *In re Guice*.

DISCUSSION ITEMS

Elderly Parole Regulations

SHAFFER and BLONIEN explained Assembly Bill 3234, which amended the Penal Code to expand the elderly parole program and summarized the regulations.

Commissioner BARTON moved to approve the regulations. Commissioner SULLIVAN seconded the motion, which carried unanimously.

Emergency Regulations for Proceedings Conducted in Person and by Videoconference

SHAFFER and BLONIEN explained Assembly Bill 145, which amended the Penal Code to authorize the Board to conduct parole hearings by videoconference. They also provided an overview of the executive order under which the Board has been conducting parole hearings by videoconference during the COVID-19 pandemic, the outcome of hearings conducted by videoconference, the increase in the number of victims participating in hearings as a result of the Board's expanded use of videoconference, and they summarized the regulations.

Public Comments

Representatives of the San Bernardino, San Luis Obispo, Santa Clara, Alameda, Los Angeles, Sacramento, and San Diego County District Attorneys' Offices opposed requiring victims, their family, next of kin, and their representatives to give advance notice of their intent to attend a hearing. Representatives of California Victims of Crime Resource Center, Crime Victims Alliance, LAURA SHEPPARD, attorney, and members of the public also opposed the notice requirement.

BOARD OF PAROLE HEARINGS
Executive Board Meeting
August 16 & 17, 2021

Katie JAMES, Chief of the California Department of Corrections and Rehabilitation's Office of Victim and Survivor Rights and Services described the role of the office and new services the office will be providing to victims and their families to attend parole hearings.

A representative of Life Support Alliance did not oppose promulgation of the regulations.

Commissioner ANDERSON moved to approve the regulations. Commissioner BARTON seconded the motion.

Commissioners ANDERSON, BARTON, DOBBS, GROUNDS, LONG, MINOR, SHARRIEFF, SULLIVAN, TAIRA, and ZARRINNAM voted to approve the regulations. Commissioners DE LA TORRE, GUTIERREZ, SAN JUAN, and SCHNEIDER voted to disapprove the regulations. Commissioners CASSADY, CHAPPELL, and RUFF abstained.

The motion carried.

PRESENTATIONS

Update on the Expanded Medical Parole Referral Process, presented by Grace Song, M.D., Deputy Medical Executive, California Correctional Health Care Services

The presentation was postponed.

EN BANC REFERRALS

Referral pursuant to Penal Code section 3041, when there is a tie vote.

C. FLORES, JOSE
AF4775

No public comment permitted

D. LEASURE, WILLIAM
H21376

No public comment permitted.

Referral by Chief Counsel, pursuant to Penal Code section 3041, subdivision (b) and California Code of Regulations, title 15, section 2042 to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety.

BOARD OF PAROLE HEARINGS
Executive Board Meeting
August 16 & 17, 2021

E. BLOCKER, MITCHELL
D13233

A representative of the Alameda County District Attorney's Office recommended ordering a rehearing.

F. CHAVEZ, FRANK
C19093

CHAVEZ's family supported the parole grant.

A representative of the Santa Clara District Attorney's Office submitted on the hearing transcript.

G. RICHARDSON, ELLEN
W65805

DAN MOSLEY and REBECCA RABKIN, attorneys, and RICHARDSON's friends recommended ordering a rehearing.

The victim's family and a representative of the Sacramento County District Attorney's Office supported the parole denial.

H. SANDOVAL, ESTEBAN
P98823

No speakers.

OPEN COMMENTS

VANESSA NELSON-SLOANE, Life Support Alliance, welcomed the Board's new factsheets explaining the Board's proposed regulations.

Meeting recessed at 04:51 p.m.

August 17, 2021

Meeting called to order at 09:00 a.m.

Roll Call: Commissioners Anderson, Barton, Cassady, Chappell, De La Torre, Dobbs, Grounds, Gutierrez, Long, Minor, Ruff, San Juan, Schneider, Sharrieff, Sullivan, Taira, and Zarrinnam present. Commissioner Thornton absent.

Commissioner ANDERSON stated that the majority of currently-appointed commissioners are present.

BOARD OF PAROLE HEARINGS
Executive Board Meeting
August 16 & 17, 2021

In compliance with Executive Order N-28-20, and to minimize the spread and mitigate the effects of COVID-19, the meeting was conducted by telephone.

EN BANC REFERRALS

Referral by the Governor, pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044, subdivision (b), to request review of a parole decision by the full Board.

I. ALBARRAN, MIGUEL
AD2958

A representative of the Riverside County District Attorney's Office recommended ordering a rescission hearing.

J. CARRANZA, JOSE
T62521

CARRANZA's friends and family supported his parole grant.

A member of the victim's family did not oppose the parole grant.

K. CORIO, FERNANDO
G52149

No speakers.

L. DE LA TORRE, SCOTTY
BB7570

DE LA TORRE's family supported his parole grant.

The victim's family and friends opposed the parole grant.

M. FOLEY, JAMES
G01630

FOLEY's friend supported his parole grant.

A representative of the Santa Clara County District Attorney's Office recommended ordering a rescission hearing.

BOARD OF PAROLE HEARINGS
Executive Board Meeting
August 16 & 17, 2021

N. HODGE, RUSSELL
AN6846

A member of HODGE's family supported his parole grant.

O. MCREYNOLDS, HULEN
H30199

A member of MCREYNOLDS's family supported his parole grant.

P. MENJIVAR, JUAN
V02642

No speakers.

Q. PETERSON, BRIAN
AK0416

PETERSON's family, friends and his attorney, LAURA SHEPPARD, supported his parole grant.

A representative of the San Diego County District Attorney's Office recommended ordering a rescission hearing.

R. PETERSON, DENNIS
P92157

No speakers.

S. PITTS, PAUL
C55284

A representative of the San Diego County District Attorney's Office recommended ordering a rescission hearing.

T. RUSSELL, ALBERT
E83491

No speakers.

U. SANCHEZ, ANTHONY
H37366

The victim's family opposed SANCHEZ's parole grant.

BOARD OF PAROLE HEARINGS
Executive Board Meeting
August 16 & 17, 2021

V. SANTIBANEZ, RICHARD
K13448

A representative of the Santa Clara County District Attorney's Office recommended ordering a rescission hearing.

W. SEWARD, PAUL
B95444.

SEWARD's family supported his parole grant.

X. THOMAS, JEAN
C80782

THOMAS's family and friends supported his parole grant.

Y. TURNER, KIRK
E24884

A representative of the San Bernardino County District Attorney's Office recommended ordering a rescission hearing.

Z. WILLIAMS, DARRELL
T84485

A member of WILLIAMS's family supported his parole grant.

AA. WIRTH, JAMES
T67568

WIRTH's family supported his parole grant.

A representative of the Sacramento County District Attorney's Office recommended ordering a rescission hearing.

Referral by a hearing panel member pursuant to Penal Code section 3041, subdivision (a)(5) and California Code of Regulations, title 15, section 2044, subdivision (a) to request review of a parole decision by the full board.

BB. OUNHEUAN, KONGCHAI
G34998

MARK GARDNER, OUNHEUAN's attorney, recommended ordering a rehearing

**BOARD OF PAROLE HEARINGS
Executive Board Meeting
August 16 & 17, 2021**

The victim opposed OUNHEUAN's release on parole.

OPEN COMMENT

VANESSA NELSON-SLOANE, Life Support Alliance, requested that panel's ensure that the courses they recommend to inmates are available.

Meeting recessed at 12:05 p.m.

Meeting reconvened and adjourned at 04:23 p.m.



**Board of Parole Hearings
Scheduled and Backlog Hearings Report
Penal Code Section 3041(d)
September, 2021**

